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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,425	02/15/2005	Karl Robert Schafer	W1.1716 PCT-US	6260

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Douglas R Hanscom  
Jones Tullar & Cooper  
Eads Station  
PO Box 2266  
Arlington, VA 22202

EXAMINER

EVANSKO, LESLIE J

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/524,425

Applicant(s)

SCHAFFER ET AL.

Examiner

Leslie J. Evanisko

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2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                                  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>02-15-05</u> . | 6) <input type="checkbox"/> Other: _____   |

## **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### **Drawings**

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plurality of supports arranged side-by-side on the holder as recited in claim 19 and 48 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: face 22, face 23, and spacing “a” described in paragraph [012] on page 8 (as well as in paragraphs [015]) have not been shown in the drawings. Note that it is recommended that these reference numerals be added to the drawings (rather than deleted from the description) since claims 30-31 are directed to these elements and all claimed features must be illustrated in the drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Objections**

4. Claims 19-20, 22, 24, 26, 28-32, 34, 36, 38, 40, 42, 44, 46-47 are objected to because of the following informalities:

With respect to claim 19, it is suggested that the phrase “each said support” in line 11 be deleted and replaced with --each of said plurality of supports-- to insure the use of consistent terminology throughout the claims.

With respect to claims 28-29, it is suggested that the term “support” in line 1 of each claim be deleted and replaced with --rolling element-- since it appears to be more accurately describing the relationship between the structure, since the rolling elements function to guide the dressing ends into the cylinder groove. Additionally, in each of claims 28 and 29, it is suggested that the term “a dressing” be deleted and replaced with --the dressing-- since the dressing was previously recited in the respective parent claims.

With respect to claim 29, it is suggested that the term “each” be deleted from line 1 since only one support was previously recited in claim 21.

With respect to claim 30, it is suggested that the term “each” be deleted from line 2 since claim 19 recites “at least one holder” and applicant has not further defined that the at least one holder comprises a plurality of holders.

With respect to claims 46 and 47 in particular, the claim language “each rolling element is one of a roll and a roller” is confusing because it is not clear what the structural difference is between the recited terms “roll” and “roller”.

Appropriate correction and/or clarification is required.

**Claim Rejections - 35 USC § 102**

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 19-48 are rejected under 35 U.S.C. 102(a) as being anticipated by Schafer et al. (WO 03/047863 A2). \*\*Note that since this published PCT document is not in the English language, the Examiner has relied upon the corresponding U.S. Patent Application Publication 2005/0005793 A1 as an English language equivalent to determine the specific nature of what is taught in WO 03/047863 A2.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

With respect to claims 19 and 48, Schafer et al. teach a device for guiding a dressing on a cylinder of a printing press comprising at least one holder 08 positioned spaced from the cylinder 02, a plurality of supports 11 being arranged side-by-side on the at least one holder, each support having a first end and a second end 16, means connecting the first end of each support to the at least one holder, at least one roller element 17 supported on the second end 16 of each support 11 and an actuating means 19 between each of the plurality of supports and the at least one holder intermediate the first and second ends of the support, each actuating means being operable

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independently to move its associated one of the rolling elements toward and away from the cylinder.

With respect to claims 20 and 21, note the support 11 is an elastically bendable body.

With respect to claims 22-23, note the support 11 is a resilient sheet metal piece.

With respect to claims 24-25, note each of the actuating means 19 of Schafer et al. effects an elastic bending of each elastically bendable body.

With respect to claims 26-27, note the second end 16 of each support 11 is pivotably movable by each actuating means 19 toward the cylinder.

With respect to claims 28-29, note each support is adapted to guide a beveled edge 07 of one end of a dressing 01 into an opening 06 in the cylinder 02.

With respect to claims 30-33, note Schafer et al. teach each support has a support face and said holder has a holder face, the support face and holder face being arranged facing each other at a spacing distance, wherein the actuating means is supported by the support face and holder face and is operable to increase the spacing distance.

With respect to claims 34-35, note Schafer et al. teach the holder 08 is fixed in place relative to the cylinder.

With respect to claims 36-39, note Schafer et al. teach the actuating means 19 is a reversibly deformable hollow body formed as a tube adapted to be charged with a medium under pressure.

With respect to claims 40-41, note Schafer et al. teach each support is a blade.

With respect to claims 42-43, note Schafer et al. teach the first end of the support is rigidly secured to the holder (through connection pieces 09, 12, and 13).

With respect to claims 44-45, note Schafer et al. teach the holder 08 is a cross-arm extending transversely to the cylinder.

With respect to claims 46-47, note Schafer et al. teach each rolling element is a roll or roller.

7. Claims 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Becker et al. (DE 196 39 800 C1). Becker et al. teach a device for guiding a dressing 2 on a cylinder 1 of a printing press comprising a holder 18 positioned spaced apart from the cylinder 1, a support 16 being an elastically bendable body having a first end and a second end, the support first end being connected to the holder (through springs 22 and contact with righthand end of holder), at least one rolling element 12, 13, 14 supported on the second end of the support, and an actuating means 23 between the support intermediate the first and second ends of the support. See Figure 1 in particular.

With respect to claims 23 and 41, note the support 16 of Becker et al. can broadly be considered to be a blade formed of a resilient sheet metal piece.

With respect to claims 25 and 27, note the actuating means 23 of Becker et al. effects an elastic bending of the elastically bendable body and pivots the second end of the support towards the cylinder.

With respect to claims 29 and 47, note the rolling element 12, 13, 14 of Becker et al. is a roller adapted to guide a beveled edge of a dressing 2 into an opening 3 in the cylinder.



With respect to claims 31 and 33, note the support 16 of Becker et al. includes a support face and the holder 18 has a holder face, the support face and holder face being arranged facing each other at a spacing distance and the actuating means being operable to increase the spacing distance.

With respect to claim 35, note the holder 18 of Becker et al. is fixed in place relative to the cylinder.

With respect to claims 37 and 39, the actuating means 23 of Becker et al. is a reversibly deformable hollow body (a tube) adapted to be charged with a medium under pressure.

With respect to claims 43, note the support 16 of Becker et al. can broadly be considered to be "rigidly secured" to the holder.

With respect to claim 45, note the holder 18 of Becker et al. is a cross-arm extending transversely to the cylinder as shown in Figure 1.

### **Conclusion**


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hieronymus et al. (US 6,588,341 B1) teach a device for guiding a dressing on a cylinder having obvious similarities to the claimed subject matter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854

lje  
October 1, 2006